



Docket: 14602.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Daniel T. Johnson	Examiner:	Unknown
Appln. No.:	10/768,957	Group Art	
Filed:	January 30, 2004	Unit:	2121
Title:	Enterprise Energy Management System		

PETITION UNDER 37 C.F.R. § 1.78(a)(2)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to Mail Stop Petition Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16 day of July, 2004.

Fernando Ena

Signature

Sir:

Pursuant to 37 C.F.R. § 1.78(a)(2), Applicant respectfully petitions for the acceptance of the priority claim not submitted within the requested time period. The delay for entry of the priority claim in the above-identified patent application was unintentional and the entire delay in the filing the attached petition was also unintentional.

Applicant submits herewith a check in the amount of \$1330.00 as set forth in 37 C.F.R. § 1.17(t). The Commissioner is also hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 04-1420.

Applicant submits herewith a Request to Amend the Specification to incorporate the priority claim..

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

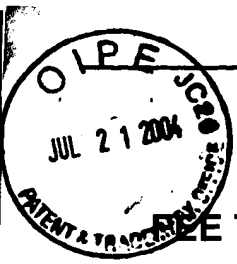
Date: July 15, 2004

By: *[Signature]*
Sean D. Solberg (Reg. No. 48,653)
Intellectual Property Department
Suite 1500, 50 South Sixth Street
Minneapolis, MN 55402-1498
(612) 340-7862

07/22/2004 AWONDAF1 00000028 10768957

01 FC:1454

1330.00 DP



ITW DAC/\$

**APPLICATION
FEE TRANSMITTAL SHEET
(FY 2004)**

Complete if Known

Application No.	10/768,957
Filing Date	January 30, 2004
First Named Inventor	Daniel T. Johnson
Group Art Unit	2121
Examiner Name	Unknown
Atty. Docket Number	14602.01

METHOD OF PAYMENT (Check One)				FEE CALCULATION (Continued)																																																																																																															
<p>1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 04-1420 Deposit Account Name: <u>DORSEY & WHITNEY LLP</u></p> <p><input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)</p> <p>2. <input checked="" type="checkbox"/> Check Enclosed</p>				<p>3. ADDITIONAL FEES</p> <table><thead><tr><th>Large Entity Fee</th><th>Small Entity Fee</th><th>Fee Description</th><th>Fee paid</th></tr></thead><tbody><tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>130</td><td>65</td><td>Surcharge - Late nonprovisional filing fee or oath</td><td></td></tr><tr><td>180</td><td>180</td><td>Submission of IDS</td><td></td></tr><tr><td>40</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1,480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>2,010</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>770</td><td>385</td><td>Submission After Final 1.129</td><td></td></tr><tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>110</td><td>55</td><td>Terminal Disclaimer Fee</td><td></td></tr><tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>50</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>1,330</td><td>665</td><td>Utility/Reissue Issue Fee (including advance copies)</td><td></td></tr><tr><td>480</td><td>240</td><td>Design Issue Fee (inc. advance copies)</td><td></td></tr><tr><td>770</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>300</td><td>300</td><td>Publication fee for early, voluntary, or normal publication</td><td></td></tr><tr><td>300</td><td>300</td><td>Publication fee for re-publication</td><td></td></tr><tr><td>110</td><td>55</td><td>Petition to Revive - unavoidable</td><td></td></tr><tr><td>1,330</td><td>665</td><td>Petition to Revive - unintentional Petition under 37 C.F.R. 1.78(a)(2)</td><td></td></tr><tr><td colspan="3">OTHER FEE (specify)</td><td>\$1330.00</td></tr><tr><td colspan="3">Subtotal (3)</td><td>\$1330.00</td></tr><tr><td colspan="3">Total Amount of Payment:</td><td>\$1330.00</td></tr></tbody></table>				Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet		130	65	Surcharge - Late nonprovisional filing fee or oath		180	180	Submission of IDS		40	40	Recording each patent assignment per property (times number of properties)		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1,480	740	Extension for reply within fourth month		2,010	1,005	Extension for reply within fifth month		770	385	Submission After Final 1.129		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		110	55	Terminal Disclaimer Fee		130	130	Petitions to the Commissioner		50	50	Petitions related to provisional applications		1,330	665	Utility/Reissue Issue Fee (including advance copies)		480	240	Design Issue Fee (inc. advance copies)		770	385	Request for Continued Examination (RCE)		300	300	Publication fee for early, voluntary, or normal publication		300	300	Publication fee for re-publication		110	55	Petition to Revive - unavoidable		1,330	665	Petition to Revive - unintentional Petition under 37 C.F.R. 1.78(a)(2)		OTHER FEE (specify)			\$1330.00	Subtotal (3)			\$1330.00	Total Amount of Payment:			\$1330.00
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Submitted by:

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Name: Sean D. Solberg		Phone No.: (612) 340-7862	Fax No.: (612) 340-8856
Signature:		Reg. No.: 48,653	Date: July 15, 2004